

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mrs. Judith K. Spooner, District No. 2
Mr. Milton Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Steve M. Vaughn, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Henry L. Richardson, District No. 8

A SPECIAL MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, January 8, 2001, in the Assembly Room of the Berkeley County Office building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:02 p.m.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Councilmember District No. 8; and Mr. D. Mark Stokes, County Attorney.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Special Meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers and the News media.

Chairman Rozier called the meeting to order; Rev. Helmly gave the invocation at the swearing-in ceremony; and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

There was no Public Discussion.

Chairman Rozier stated an Executive was needed; however, Council agreed to move it to the end of the meeting.

Chairman Rozier stated next was **Review of the Organization and Rules of Berkeley County Council.**

Councilmember Mims stated she thought that this was a meeting to set the rules and procedures, and also, chairmanship of the different committees. She stated that when she looked through her information packet it appeared as if everything was already

completed. Chairman Rozier stated that is only a list of the way it had been for two years. Councilmember Mims asked could everything be changed? Chairman Rozier stated, certainly. Councilmember Mims stated she has heard from several people that everything was going to stay the same but they need to follow the procedures in Council's rules so that they would all have a chance to make some recommendations.

Councilmember Spooner stated she would like to move to adopt changes to Council's rules on pages 2 and 3. In Section C under Clerk, that says, "*keep the minutes of all committee meetings,*" and she would like to eliminate "*when requested by the Chairman of such committee.*" Councilmember Spooner stated that all Minutes are recorded and transcribed and it's not necessary to leave that wording in. She stated that in the same paragraph that says, "*render any needed assistance to members of the Council*", she would like to eliminate "*typing and*" because "*in preparation*" covers it. Also, she would like to add "*Budget and personnel matters shall be reviewed by the Vice-Chairman, as required, who shall report matters to Council as deemed necessary.*"

Chairman Rozier stated, "For clarity that which is struck through would be eliminated, and that which is underlined would be added."

Councilmember Spooner stated that on Page 3, the last line under the title "**MEETINGS**", she would like to eliminate *The Chairman shall not be counted in determining whether the quorum requirements are met.* She stated the rules were changed a few years ago so that the Chairman of each committee would be considered part of the quorum. They had established in the Committee meetings that the Chairman could not make up the quorum; however, all of the Committees were changed to a Committee of the whole. She stated she feels it should be the same on County Council.

Councilmember Davis seconded the motion for the changes to the rules.

Councilmember Richardson asked why was the clause "*the Chairman shall not be counted in determining whether the quorum requirements are met*" was ever put in? Councilmember Spooner stated that when she came on Council in 1980, the rules were set that they needed to have five affirmative votes.

Upon call for the vote, the motion for the changes passed by majority vote of Council.

Chairman Rozier stated the next item was **Election of Vice-Chairman of County Council.**

Councilmember Vaughn nominated Councilmember Spooner to serve as vice chairman; seconded by Councilmember Farley.

Councilmember Mims nominated Councilmember Crosby to serve as vice-chairman; seconded by Councilmember Richardson.

Councilmember Crosby withdrew his name for nomination as vice-chairman.

Upon call for the vote, the motion passed by voice vote of Council.

Next was **Election of Chairman of Standing Committees of County Council.**

Councilmember Spooner moved to leave the Standing Committees as they are; seconded by Councilmember Vaughn.

Councilmember Mims stated this is exactly what she was referring to earlier. It seems as if everything has been set up; “power begins to corrupt the moment that you begin to seek it.” She stated this is a perfect example of power and she feels they all should be involved in having turns in doing things. After you have been on a committee for six years it is poor management to continue to chair that same committee. If they are running this County like a business, then somebody is not doing their job. Councilmember Vaughn asked who is asking for a committee to corrupt this system? He stated things have been going fairly well and it has been said “if it ain’t broke, don’t fix it.”

Councilmember Spooner stated that when she first came on Council, Hank Niles came to her before she was sworn in and asked her what Committee would she like to take. When she got to the first meeting a piece of paper was handed to her; two years later it was the same thing and so forth and so on. In 1990, when they had four Republicans, five including Mr. Rozier, she got to do the paper. She stated Mr. Vaughn came to her a couple of months ago and indicated they needed to start thinking about committees for next year; he said he would like to stay where he was and she told him she would like to stay where she was. Councilmember Spooner stated she had spoken with Councilmembers Crosby, Farley, and Davis and they said they were fine with their Committees. She stated Councilmember Mims asked her at the last meeting was anything being done and she told her what had been said among the Councilmembers; and Councilmember Mims indicated she was okay with Water and Sanitation. Councilmember Mims stated she said that she has always enjoyed serving on Water and Sanitation because they are great people to work with. She stated that after six years of being chairman of that committee, it’s time for a change.

Councilmember Richardson stated some of them have had opportunities to chair other committees but some of the others have never had that opportunity. They were placed wherever and that was it. He indicated that Councilmember Spooner had been here for 20 years and has had an opportunity to experience other committees, and has had an opportunity to understand the overall operation of the County. Councilmember Richardson stated Councilmember Mims had a point, that for them to be able to

understand all of this, it would be better to change around sometimes. He stated, for them to come in year after year and assign a person to chair the same committee is not looking out for the betterment of the County. Councilmember Spooner stated that for the first 10 years that she was on Council the Democrats on Council set the committees; she was given a committee and not a choice. Councilmember Richardson stated he is trying to leave out looking at things from a Democrat/Republican perspective; he is looking at it as Berkeley County/County Council, and how they can work together to make it better. He stated he doesn't care what committee he is placed on; however, he would like to experience chairing different committees. However, "if you choose to keep me on Community Services for the rest of my 20-year term, that's fine." He stated he agrees with Councilmember Mims that they should change around.

Councilmember Richardson stated he presently chairs Community Services; they have put part of Community Services on other committees for whatever reasons. He would like to move that they put the proper departments in the proper committees and leave it there and not have them scattered about to accommodate whatever purposes they have.

Chairman Rozier stated he has a motion on the floor and he cannot take another.

Councilmember Vaughn stated he has been here 10 years and when he got elected it was the first time they had a Republican Council. They elected the chairman and they had a choice of who served on their committee, which means that if they didn't want a Democrat or a Republican on their committee, they were not chosen. He stated that he and Councilmember Spooner had that changed over the years; everybody now sits on the Committee as a whole, it was not like that before. So, whoever the chairman is, they are at a distinct disadvantage because they cannot vote except in case of a tie. If they were trying to control power they would set up the committees where they couldn't vote.

Councilmember Richardson stated he understands what Councilmember Vaughn said and they have a good group of people, but for it to a better way to serve, there is nothing wrong with rotating the chairmanship. Councilmember Vaughn stated they initially went by the party that was in control. Councilmember Richardson stated he is not trying to get anybody off any particular committee; they had their talk and didn't include him at all. Councilmember Spooner stated they never included her for 10 years.

Chairman Rozier stated the motion on the floor was to keep the Committees as follows: Finance, Councilmember Vaughn; Land Use, Councilmember Davis; Public Works, Councilmember Crosby; Justice and Public Safety, Councilmember Farley; Human Services, Councilmember Pinckney; Water and Sanitation, Councilmember Mims; Planning and Development, Councilmember Spooner; and Community Services, Councilmember Richardson.

Councilmember Mims stated she would like to amend the motion that Councilmember Richardson assume the chairmanship of Water and Sanitation and that she assume the chairmanship of Community Services; seconded by Councilmember Vaughn; and passed by voice vote of Council.

Upon call for the vote of the original motion, which included the switch of the committees as stated, was passed by voice vote of Council.

Councilmember Richardson moved that the appropriate department be placed under the proper Committee. He suggested they go over the departments tonight and place them where they need to go. Councilmember Vaughn stated they can come back and do this next month but they can't sit here tonight and debate what committee needs to have what item. Councilmember Spooner stated it is not right to have a Department Head come to four or five meetings when they can come to one meeting, which is why they are grouped as they are. Councilmember Richardson stated he chaired Community Services and they took Recreation out of that Committee and put it under Planning and Development; and it did not seem appropriate.

Chairman Rozier stated he could only accept that motion if there is no objection because that item is not on the agenda.

Councilmember Vaughn objected to hearing Councilmember Richardson's motion.

Next was **Election of Standing Committees of County Council.**

Councilmember Spooner suggested that the members of the Committee continue to serve as a Committee of the whole.

Councilmember Crosby moved to approve that the Committees continue to serve as a Committee of the whole of Council; seconded by Councilmember Mims; and passed by voice vote of Council.

Councilmember Crosby nominated Councilmember Judith Spooner to serve on Berkeley-Charleston-Dorchester Council of Governments; seconded by Councilmember Vaughn; and passed by voice vote of Council.

Councilmember Vaughn nominated Councilmember William E. Crosby to the Charleston Area Transportation Study (CHATS) Policy Committee; seconded by Councilmember Spooner.

Councilmember Richardson nominated Councilmember Caldwell Pinckney Jr. to the Charleston Area Transportation Study (CHATS) Policy Committee; seconded by Councilmember Mims.

Upon call for the vote for Councilmember Crosby to serve on CHATS, the motion passed by majority vote of Council.

Upon call for the vote for Councilmember Pinckney to serve on CHATS, the motion failed with only Councilmembers Mims and Richardson voting "Aye."

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Councilmember Davis nominated Kathleen Martin to the Sangaree Special Tax District.

The Nomination was passed by voice vote of Council.

Chairman Rozier stated an Executive Session was needed to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim, and personnel matters.

Councilmember Vaughn moved to go into Executive Session for the reason stated; seconded by Councilmember Farley; and passed by voice vote of Council.

Berkeley County Council went into Executive Session at 6:30 p.m. and returned at 7:07 p.m.

Mr. Stokes stated Berkeley County Council went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

Councilmember Vaughn moved to adjourn; seconded by Councilmember Spooner; and passed by voice vote of Council.

The Meeting adjourned at 7:10 p.m.

S/Barbara B. Austin
Clerk to County Council

02/26/01
Date Approved

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

A **SPECIAL MEETING** of **BERKELEY COUNTY COUNCIL** will be held on **Monday January 8, 2001**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at **6:00 P. M.**

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.
- 4. EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim
- 5. REVIEW** of the Organization and Rules of Berkeley County Council.
- 6. ELECTION** of Vice-Chairman of County Council
- 7. ELECTION** of Chairmen of Standing Committees of County Council.
- 8. ELECTION** of Members of Standing Committees of County Council
- 9. ELECTION** of Representative from Council on Berkeley-Charleston-Dorchester Council of Government.
- 10. ELECTION** of Representative from Council on the Charleston Area Transportation Study (CHATS) Policy Committee.
- 11. NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

12. PUBLIC DISCUSSION

13. ADJOURNMENT

January 3, 2001
S/Barbara B. Austin
Clerk of County Council